

SOUTHERN CALIFORNIA



**ASSOCIATION of  
GOVERNMENTS**

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Town of Apple Valley • Larry McCallion, Highland •  
Deborah Robertson, Rialto • Alan Wagner, Ontario

**Ventura County:** Linda Parks, Ventura County •  
Glen Becerra, Simi Valley • Carl Morehouse, San  
Buenaventura • Toni Young, Port Hueneme

**Tribal Government Representative:** Andrew  
Masiel, Sr., Pechanga Band of Luiseño Indians

**Orange County Transportation Authority:** Art  
Brown, Buena Park

**Riverside County Transportation Commission:**  
Robin Lowe, Hemet

**San Bernardino Associated Governments:** Paul  
Leon

**Ventura County Transportation Commission:**  
Keith Millhouse, Moorpark

10/24/07

## MEETING OF THE

# SOLID WASTE TASK FORCE

### NOTE CHANGE IN MEETING ROOM

**Thursday, January 24, 2008**

**10:00 a.m. – 12:00 p.m.**

## SCAG Offices

**818 West 7<sup>th</sup> Street, 12<sup>th</sup> Floor  
Conference Room – Riverside B  
Los Angeles, CA 90017  
213.236.1800**

If members of the public wish to review the  
attachments or have any questions on any of the  
agenda items, please contact Jacob Lieb at  
213.236.1921 or [lieb@scag.ca.gov](mailto:lieb@scag.ca.gov) or Christine  
Fernandez at 213.236.1923 or [fernande@scag.ca.gov](mailto:fernande@scag.ca.gov).

Agendas and Minutes for the Solid Waste Task Force  
are also available at:

<http://www.scag.ca.gov/rcp/solidhazardouswaste.htm>

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# SOLID WASTE TASK FORCE

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TIME

*"Any item listed on the agenda (action or information) may be acted upon at the discretion of the Committee."*

**1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**Hon. Toni Young,  
Chair**

**2.0 PUBLIC COMMENT PERIOD**

Members of the public desiring to speak on an agenda item or items not on the agenda, but within the purview of the Committee, must fill out and present a speaker's card to the Assistant prior to speaking. A speaker's card must be turned in before the meeting is called to order. Comments will be limited to three minutes. The chair may limit the total time for all comments to twenty (20) minutes.

**3.0 REVIEW and PRIORITIZE AGENDA ITEMS**

**4.0 CONSENT CALENDAR**

**4.1 Approval Item**

4.1.1 Minutes of December 26, 2007 Meeting  
**Attachment**

**4.2 Receive and File**

4.2.1 Membership List with  
Contact Information  
**Attachment**

4.2.2 SB 1016 Updated (01/05/08) Draft Language  
From The office of Senator Wiggins  
**Attachment**



# SOLID WASTE TASK FORCE

## AGENDA

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TIME

### 5.0 INFORMATION ITEMS

#### 5.1 Waste Management, Inc. Legislative Program Attachment

Kent Stoddard will provide a brief  
Overview of Waste Management, Inc.'s  
Legislative program, including SB1016  
And SB1020.

Kent Stoddard,  
**Vice President for  
Public Affairs  
Waste Management, Inc.**

**30 min**

### 6.0 CHAIR'S REPORT

**Hon. Toni Young,  
Chair**

### 7.0 FUTURE AGENDA ITEMS

Any Committee members or staff desiring to place items on a future agenda  
may make such a request.

### 8.0 ANNOUNCEMENTS

### 9.0 ADJOURNMENT

Meetings will be held on the third Wednesday of the month. The next meeting of the  
Solid Waste Task Force will be **Wednesday, February 21, 2008** in the SCAG offices in  
downtown Los Angeles.



The following minutes are a summary of actions taken by the Solid Waste Task Force.

The Solid Waste Task Force held its meeting at the Southern California Association of Governments offices in Los Angeles. The meeting was called to order by Chair, Toni Young, City of Port Hueneme.

<b><u>Members Present</u></b>	<b><u>Representing</u></b>
Toni Young	Port Hueneme
Mike Mohajer	LA County IWMTF
Mike Miller	Ex-Officio
Coby Skye	LA County DPW
Margaret Clark	Rosemead
Stan Carroll	La Habra Heights
Tobie Mitchell	LA County DPW
Scott Miller	BioWaste Blog

### **1.0 CALL TO ORDER & PLEDGE OF ALLEGIENCE**

Toni Young, Chair, called the meeting to order at 10:00a.m.

### **2.0 PUBLIC COMMENT PERIOD**

### **3.0 REVIEW AND PRIORITIZE AGENDA ITEMS**

### **4.0 CONSENT CALENDAR**

#### **4.1 Approval Item(s)**

##### **4.1.1 Minutes of November 28, 2007 Meeting**

#### **4.2 Receive and File**

##### **4.2.1 Membership List with Contact Information**

- Correct Coby Skye's phone number
- Change Toni Young's Address

The Consent Calendar was approved as amended.

### **5.0 INFORMATION ITEMS**

#### **5.1 LADPW Conversion Technology Report**

Coby Skye of Los Angeles County Department of Public Works provided an overview of their Conversion Technology Evaluation Report.

It was MOVED (Mike Mohajer), SECONDED (Mike Miller) and UNANIMOUSLY AGREED to support the study conducted by the County of Los Angeles Phase II Study as presented.

Toni Young requested that this item be presented to the Energy and Environment Committee (EEC). She also suggested that EEC send out a link to other counties so that they can access this report.

**6.0 CHAIRS REPORT**

**7.0 FUTURE AGENDA ITEMS**

Toni Young requested that Jeff Dunn provide the task force with information on SB 1016 (Wiggins) and prepare letters of opposition for SB1016 and SB1020.

**8.0 ADJOURNMENT**

The meeting was adjourned at 12:00 Noon.

**Item 4.2.1****SOLID WASTE TASK FORCE MEMBERSHIP****January 24, 2007****10:00 a.m. to 12:00 noon.**

<b>Name</b>	<b>Address</b>	<b>Phone</b>	<b>Fax</b>	<b>e-mail</b>
Acosta, Glenn	Mr. Glenn Acosta, P.E. 1955 Workman Mill Road Whittier, CA 90601	(562) 699-7411 ext.2723	(562) 695-1874	gacosta@lacs.org
Carroll, Stan	Mr. Stan Carroll 659 Lamat Road La Habra Heights, CA 90631	(562) 690-4645		GW1763@aol.com
Cook, Debbie	Hon. Debbie Cook 6692 Shetland Circle Huntington Beach, CA 92648	(714) 536-5553	(714) 536-5233	hbdac@hotmail.com
Clark, Margaret	Hon. Margaret Clark 3109 N. Prospect Rosemead, CA 91770	(626) 288-7308	(626)307-9218	clarkeesc@yahoo.com
Martin, Kay	Ms. Kay Martin Vice President, BioEnergy Producers Assn. 236 Ferro Drive Ventura, CA 93001	(805) 653-5935		kay4bioenergy@aol.com
Miller, Michael	Mr. Michael Miller P.O. Box 4742 West Covina, CA 91791	(626) 337-1606	(626) 337-3397	millereviro@earthlink.net
Miller, Scott	Mr. Scott Miller 12360 Landale Street Studio City, CA 91604	(818) 508-5514		miller@performancegraphics.com
Mohajer, Mike	Mr. Mike Mohajer P.O. Box 3334 San Dimas, CA 91773	(909) 592-1147		mikemohajer@yahoo.com
Nelson, Larry	Hon. Larry Nelson Councilmember, City of Artesia 18747 Clarkdale Ave Artesia, CA 90701-5899	(562) 865-6262	(562) 865-6240	lnelson@cityofartesia.org
Paxton, Lynda	Ms. Lynda L. Paxton	Office (805) 347-9990 Cell (714) 412-0745		lpaxton@comcast.net
Perreira, Reina	Ms. Reina Pereira Senior Sanitary Engineer Bureau of Sanitation	(213) 485-3296		<a href="mailto:Reina.Pereira@lacity.org">Reina.Pereira@lacity.org</a>

**Item 4.2.1****SOLID WASTE TASK FORCE MEMBERSHIP****January 24, 2007****10:00 a.m. to 12:00 noon.**

	Department of Public Works 1149 South Broadway, 8th Floor 521, Los Angeles, CA 90015			
Sansonetti, Nancy	Ms. Nancy Sansonetti Supervising Planner/Chief Planning & Permitting Section Solid Waste Management Division 222 W. Hospitality Ln San Bernardino, CA 92415	(909) 386-8778	(909) 386-8964	NSansonetti@swm.sbcounty.gov
Skye, Coby	Mr. Coby Skye Associate Civil Engineer Environmental Programs Division Los Angeles Department of Public Works 900 S. Fremont Ave. Annex 3 <sup>rd</sup> Floor Alhambra, CA 91803-1331	(626) 458-5163	(626) 458-3593	cskye@ladpw.org
Smith, Greig	Hon. Greig Smith Councilmember, City of Los Angeles District 12 200 N. Spring Street, 4th FL Room 405 Los Angeles, CA 90012	(213) 473-7012	(213) 473-6925	<a href="mailto:smith@council.lacity.org">smith@council.lacity.org</a>
Van Arsdale, Lori	Hon. Lori Van Arsdale Councilmember, City of Hemet 445 E. Florida Ave Hemet, CA 92543	(951) 765-2303	(951) 765-3785	lvanarsdale@ci.hemet.ca.us
Vizcarra, Joe	Mr. Joe Vizcarra Lt. Traffic Operations Center Los Angeles Communications Center California Highway Patrol 120 S. Spring Street Los Angeles, CA 90012	(213) 897-6136	(213) 897-0519	jvizcarra@chp.ca.gov
<b>Young, Toni (Chair)</b>	<b>Hon. Toni Young</b> <b>Councilmember, City of Port</b> <b>Hueneme</b> <b>P.O. Box 2360</b> <b>Port Hueneme, CA 93041-2333</b>	<b>(805) 986-6500</b>	<b>(805) 986-6581</b>	<b>ottoandtoni@roadrunner.com</b>

**Item 4.2.2**

**Existing AB 939 Diversion Measurement Requirements Compared to  
Proposed Disposal Measurement Requirements under SB 1016**

<b>EXISTING SYSTEM</b>	<b>SB1016</b>
<p><b><u>Intent</u></b> Current language in PRC Section 40001:</p> <ul style="list-style-type: none"> <li>• Responsibility for solid waste management shared between local and state government.</li> <li>• Policy of state to assist local governments from duplicating effort and minimizing costs incurred.</li> <li>• Market development is critical to the successful and cost-effective implementation of a solid waste plan and to achieve 25 and 50 percent diversion.</li> </ul>	<p><b><u>Intent</u></b> Added language to PRC Section 40001:</p> <ul style="list-style-type: none"> <li>• Support AB 32 requirements</li> <li>• Emphasize the increase environmental benefits through comprehensive array of diversion programs</li> <li>• Change the diversion rate reporting requirement to a jurisdictional equivalent disposal measurement requirement for accuracy and timeliness</li> <li>• Disposal will be measured using the CIWMB's disposal reporting system</li> <li>• Expand the emphasis on the hierarchy in Section 40051.</li> </ul>
<p><b><u>Hierarchy</u></b> Current language in PRC Section 40051:</p> <ul style="list-style-type: none"> <li>• Promotes waste management practices in order of priority: source reduction, recycling and composting, environmentally safe transformation and disposal.</li> </ul>	<p><b><u>Hierarchy</u></b> No change to PRC Section 40051.</p>
<p><b><u>Definitions</u></b> Current language in PRC Sections 40100-40201:</p> <ul style="list-style-type: none"> <li>• Defines terms such as solid waste disposal, diversion, recycling, rural city and county, composting, source reduction, transformation.</li> </ul>	<p><b><u>Definitions</u></b> Added to current definition, four new terms:</p> <ul style="list-style-type: none"> <li>• Diversion program,</li> <li>• Jurisdiction,</li> <li>• Rural City, redefines rural city and rural regional agency to mean a city or regional agency that is located within a rural county as defined by Section 40184.</li> <li>• Rural County, redefines rural county as any county or multi-county regional agency from which no more than 200,000 tons of solid waste are disposed annually (Section 40184).</li> <li>• Uniform Electronic Transactions Act</li> </ul>
<p><b><u>Measurement System</u></b> Current language in PRC Sections 41780-41786:</p> <ul style="list-style-type: none"> <li>• Established a 25 percent diversion requirement by January 1, 1995 and 50 percent diversion on and after January 1, 2000 and set requirements to establish a jurisdiction waste generation (disposal + diversion) base year (Sections 41780, 41780.1, 41780.2 and 41781).</li> </ul>	<p><b><u>Measurement System</u></b> Amends and adds language to PRC Sections 41780-41786:</p> <ul style="list-style-type: none"> <li>• Requires jurisdictions to continue implementing source reduction, recycling and composting activities according to the hierarchy of 40051.</li> <li>• Maintains the 50 percent diversion requirement, while transitions from a diversion measurement</li> </ul>



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<b>EXISTING SYSTEM</b>	<b>SB1016</b>
<ul style="list-style-type: none"> <li>Allows base year sludge diversion credit if requirements are met (Section 41781.1).</li> <li>Restricts base year diversion credit for restricted waste such as: inert, scrap metal, agricultural wastes and white goods (Section 41781.2)</li> <li>Allows disposal adjustment for treated medical waste and regional diversion facility residues (Section 41782)</li> <li>Jurisdictions required use adjustment factors to estimate future year generation (Section 41781).</li> <li>Ensures a city or county who are below 50% diversion, are not required to establish a transformation facility to achieve that 50% requirement and no penalties can be assessed. (Section 41784)</li> </ul>	<p>system to a disposal measurement system equivalent.</p> <ul style="list-style-type: none"> <li>After 1/1/07, the Board will evaluate jurisdiction compliance with the diversion requirements by using per capita disposal rate as an indicator of program implementation.</li> <li>Defines per capita disposal (Section 41780).</li> <li>Allows Board to use any increase as an indicator that program implementation efforts must be more closely examined when increases in per capita disposal indicates that a jurisdiction has allowed disposal amounts to increase faster than the jurisdiction has grown.</li> </ul>
<p><b><u>Transformation and Biomass</u></b></p> <ul style="list-style-type: none"> <li>Current language in PRC Sections 41783-41783.1:</li> <li>Jurisdictions may claim either transformation or biomass conversion as diversion starting in 2000. The jurisdiction may only claim biomass conversion credit, or transformation credit of up to 10% of waste generation.</li> </ul>	<p><b><u>Transformation and Biomass</u></b></p> <p>Amends PRC Sections 41783-41783.1:</p> <ul style="list-style-type: none"> <li>Jurisdictions may subtract transformation conversion tonnage up to 20 percent of disposal tons. (equivalent to a 10 % diversion credit)</li> <li>No change to the Biomass conversion credit as it is implemented outside of the disposal reporting system..</li> </ul>
<p><b><u>Jurisdiction Reporting and Board Review</u></b></p> <p>Current language:</p> <ul style="list-style-type: none"> <li>Requires jurisdictions to submit plans in the mid 1990's and allows early submittal and implementation (Sections 41791, 41791.5, 41792 and 41794).</li> <li>Provides schedule and procedures for CIWMB review of restricted waste diversion claims in 1990 base years (Sections 41801.5 and 41811.5)</li> <li>Jurisdiction submits annual progress report. Annual progress reports are delayed by over 18 months for the reporting year because of the delay in receiving local and BOE adjustment factors to estimate the diversion rates. (Section 41821)</li> </ul>	<p><b><u>Jurisdiction Reporting and Board Review</u></b></p> <p>Amends language to:</p> <ul style="list-style-type: none"> <li>Provides new reporting schedule and jurisdiction reporting requirements (Sections 41821, 41825).</li> <li>Jurisdictions that were found in compliance during the 2005-06 biennial review would have to submit a report on their program implementation every four years starting September 1, 2014. (Section 41821)</li> <li>Jurisdictions that were on compliance as of 2007 or placed on compliance during the 2005-06 biennial review would have to submit a report on their program implementation every two years starting September 1, 2012. Note that the gap in time between biennial reviews from 2008 to the next review in 2012 would allow time for jurisdictions to begin shifting to a disposal based measurement system, to evaluate</li> </ul>

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<b>EXISTING SYSTEM</b>	<b>SB1016</b>
	<p>their program implementation in relationship to their per capita disposal.</p> <ul style="list-style-type: none"> <li>• Uses per capita disposal as an indicator of program implementation efforts. The Board would evaluate how a jurisdiction is addressing significant increases in per capita disposal through their program implementation efforts.</li> <li>• Incorporates demonstration of good faith effort into the biennial review determination.</li> </ul>
<p><b><u>State Agencies and large facilities</u></b></p> <ul style="list-style-type: none"> <li>• Requires state agencies and large facilities to divert 25 percent of all solid waste by January 1, 2002 and 50 percent through source reduction, recycling and composting activities.</li> <li>• Allows for adjustment factors and time extensions.</li> </ul>	<p><b><u>State Agencies and large facilities</u></b></p> <ul style="list-style-type: none"> <li>• Creates a parallel disposal measurement process for state agencies and large facilities (Section 42921 and 42926).</li> <li>• Adds language for community colleges to impose fees as necessary to assist in the costs associated with implementing a state agency integrated waste management plan.</li> </ul>

## **DIVISION 30. WASTE MANAGEMENT**

### **PART 1. INTEGRATED WASTE MANAGEMENT**

#### **Chapter 1. General Provisions**

##### **ARTICLE 1. FINDINGS AND DECLARATIONS**

40001. (a) The Legislature declares that the responsibility for solid waste management is a shared responsibility between the state and local governments. The state shall exercise its legal authority in a manner that ensures an effective and coordinated approach to the safe management of all solid waste generated within the state and shall oversee the design and implementation of local integrated waste management plans.

(b) The Legislature further declares that it is the policy of the state to assist local governments in minimizing duplication of effort, and in minimizing the costs incurred, in implementing this division through the development of regional cooperative efforts and other mechanisms which comply with this division.

(c) The Legislature further declares that market development is the key to successful and cost-effective implementation of the 25-percent and 50-percent diversion and solid waste disposal reduction requirements of Section 41780, and that the state must take a leadership role, pursuant to Chapter 1 (commencing with Section 42000) of Part 3, in encouraging the expansion of markets for recycled products by working cooperatively with the public, private, and nonprofit sectors.

(d) The Legislature further declares that all solid waste should be properly managed in order to minimize the generation of waste, maximize the diversion of solid waste away from disposal facilities, and manage all solid waste to its highest and best use, in accordance with the waste management hierarchy in section 40051 and in support of the California Global Warming Solutions Act of 2006.

(e) The Legislature further declares that increasing the environmental benefits of diversion and decreasing the environmental impacts of solid waste disposal can be achieved through the implementation of a comprehensive array of diversion programs.

(f) The Legislature further declares that the way in which diversion progress is measured needs to change to ensure increased accuracy, timeliness, and emphasis on implementing diversion programs.

(g) The Legislature further declares that jurisdiction disposal shall be measured using the board's disposal reporting system pursuant to section 41821.5.

(h) The Legislature further declares its intent that jurisdictions continue to meet the existing requirements while allowing the board to evaluate compliance with those requirements using per capita disposal as an indicator. This will allow for simplified measurement of jurisdiction disposal while making allowance for growth.

#### **Chapter 2. Definitions**

40127. "Diversion program" means a program in the jurisdiction's source reduction and recycling element, that has the purpose of diverting solid waste from landfill disposal or transformation, through source reduction, recycling, and composting activities.

40144. "Jurisdiction" means a city, county, city and county, or board approved regional agency.

40183. (a) "Rural city" or "rural regional agency" means a city or regional agency that is located within a rural county as defined by section 40184, either of the following:

~~—(1) A city that has a geographic area of less than three square miles, has a current waste disposal rate of less than 100 cubic yards per day, or 60 tons per day, and is located in a rural area.~~

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~~—(2) A city that has a population density of less than 1,500 people per square mile, has a current waste disposal rate of less than 100 cubic yards per day, or 60 tons per day, and is located in a rural area.~~

(b) Nothing in this section shall affect any reduction granted to a rural city or rural county by the board pursuant to Section 41787 prior to December 31, 2007 ~~September 1, 1994~~.

40184. (a) "Rural county" means any county or multi-county regional agency from which no more than 200,000 tons of solid waste are disposed annually.  
~~that has a population of 200,000 or less and is located in a rural area.~~

~~—(b) For the purposes of this section, Section 40183, and subdivision (d) of Section 40973, "rural area" means those counties and cities located in agricultural or mountainous areas of the state and located outside the Department of Finance's Primary Metropolitan Statistical Areas.~~

~~—(c)~~ (b) Nothing in this section shall affect any reduction granted to a rural city or rural county by the board pursuant to Section 41787 prior to December 31, 2007 ~~September 1, 1994~~.

40205. "Uniform Electronic Transactions Act" means Title 2.5 (commencing with Section 1633.1) of Part 2 of Division 3 of the Civil Code.

## Chapter 6. Planning Requirements

### ARTICLE 1. WASTE DIVERSION

41780. (a) Each city or county source reduction and recycling element shall include an implementation schedule that shows both of the following:

(1) For the initial element, the city or county shall divert 25 percent of all solid waste from landfill disposal or transformation by January 1, 1995, through source reduction, recycling, and composting activities.

(2) Except as provided in Sections 41783, 41784, and 41785, for the first and each subsequent revision of the element, the city or county shall divert 50 percent of all solid waste through source reduction, recycling, and composting activities.

(3) On and after January 1, 2007, each jurisdiction shall continue to meet the requirements of subdivision (a)(2) of this section through source reduction, recycling, and composting, and the board shall determine compliance with this requirement by comparing each jurisdiction's per capita disposal rate in subsequent years with the per capita disposal rate that would have been necessary for the jurisdiction to meet the requirement on that date. Increases in per capita disposal would indicate that a jurisdiction has allowed disposal amounts to increase faster than the jurisdiction has grown and the Board shall use any increase as an indicator that program implementation efforts must be more closely examined. The examination may indicate that a jurisdiction needs to expand existing programs or implement new programs.

A) Per capita disposal shall be defined as total annual disposal from a jurisdiction divided by total population in a jurisdiction.

B) For those jurisdictions that are predominated by commercial or industrial activities and by solid waste generation from those sources, per capita disposal may be alternatively defined by the board to reflect those differing conditions.

(4) Each jurisdiction shall implement the diversion programs set forth in its source reduction and recycling element and household hazardous waste element, including any amendments.

revisions, or updates to the element, and any programs set forth in any time extensions, alternative requirements, or compliance orders approved pursuant to this part.

(b) Nothing in this part prohibits a city or county from implementing source reduction, recycling, and composting activities designed to exceed these requirements.

41783. For any city, county, or regional agency source reduction and recycling element submitted to the board after January 1, 1995, the 50 percent diversion requirement specified in paragraph (2) of subdivision (a) of Section 41780 may include not more than 10 percent through transformation, as defined in Section 40201, through December 31, 2006, and beginning January 1, 2007, the per capita disposal rate specified in subdivision (a)(3) of Section 41780 may not be reduced by more than 20 percent through transformation, if all of the following conditions are met:

(a) The transformation project is in compliance with Sections 21151.1 and 44150 of this code and Section 42315 of the Health and Safety Code.

(b) The transformation project uses front-end methods or programs to remove all recyclable materials from the waste stream prior to transformation to the maximum extent feasible.

(c) The ash or other residue generated from the transformation project is routinely tested at least once quarterly, or on a more frequent basis as determined by the agency responsible for regulating the testing and disposal of the ash or residue, and, notwithstanding Section 25143.5 of the Health and Safety Code, if hazardous wastes are present, the ash or residue is sent to a class 1 hazardous waste disposal facility.

(d) The board holds a public hearing in the city, county, or regional agency jurisdiction within which the transformation project is proposed, and, after the public hearing, the board makes both of the following findings, based upon substantial evidence on the record:

(1) The city, county, or regional agency is, and will continue to be, effectively implementing all feasible source reduction, recycling, and composting measures.

(2) The transformation project will not adversely affect public health and safety or the environment.

(e) The transformation facility is permitted and operational on or before January 1, 1995.

(f) The city, county, or regional agency does not include biomass conversion, as authorized pursuant to Section 41783, in its source reduction and recycling element.

## **Chapter 7. Approval of Local Planning**

### **ARTICLE 3. OTHER PROVISIONS**

41820.6. (a) In addition to its authority under Section 41820, the board may, after a public hearing, grant a time extension from the ~~diversion~~ requirements of Section 41780 to a city if both of the following conditions exist:

(1) The city was incorporated pursuant to Division 3 (commencing with Section 56000) of Title 5 of the Government Code on or after January 1, 2001.

(2) The county within which the city is located did not include provisions in its franchises that ensured that the now incorporated area would comply with the ~~diversion~~ requirements of Section 41780.

(b) The board may authorize a city that meets the requirements of subdivision (a) to submit a source reduction and recycling element that includes an implementation schedule that shows that the city shall ~~divert 50 percent of its estimated generation amount of solid waste from landfill or transformation facilities~~ meet the requirements of Section 41780, within three years from the

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date on which the source reduction and recycling element is due pursuant to subdivision (b) of Section 41791.5, through source reduction, recycling, and composting activities.

41821. (a) (1) ~~Each year f~~Following the board's approval of a city, county, or regional agency's source reduction and recycling element, household hazardous waste element, and nondisposal facility element, the city, county, or regional agency shall submit a report to the board summarizing its progress in reducing solid waste as required by Section 41780, in accordance with the schedule set forth in this section.

(2) If the board found a jurisdiction in compliance with Section 41780 for calendar year 2006, then on or before September 1, 2012, and on or before September 1 every four years thereafter, a jurisdiction shall submit a report that encompasses the previous four calendar years from January 1 to December 31, inclusive to the board.

~~(b) (3) If the board did not find a jurisdiction in compliance with Section 41780 for calendar year 2006, then on or before September 1, 2010, and on or before September 1 every two years thereafter, a jurisdiction shall submit a report that encompasses the previous two calendar years from January 1 to December 31, inclusive, to the board~~

~~The annual report shall be due on or before August 1 of the year following board approval of the source reduction and recycling element, the household hazardous waste element, and the nondisposal facility element, and on or before August 1 in each subsequent year. The information in this report shall encompass the previous calendar year, January 1 to December 31, inclusive.~~

(b) Each jurisdiction's annual report to the board shall, at a minimum, include the following:

~~—(1) Calculations of annual disposal reduction.~~

~~—(2) Information on the changes in waste generated or disposed of due to increases or decreases in population, economics, or other factors in complying with subdivision (c) of Section 41780.1.~~

~~(3) (1) A summary of progress made in implementing the source reduction and recycling element and the household hazardous waste element. The city, county, or regional agency may also include information about existing and new programs it is implementing that are not part of the original or modified source reduction and recycling element adopted by the jurisdiction and approved by the board to achieve the diversion requirements of Section 41780.~~

(2) An update of the jurisdiction's source reduction and recycling element and household hazardous waste element to include any new or expanded programs the jurisdiction has implemented or plans to implement.

(3) An update of the jurisdiction's nondisposal facility element to reflect all new or expanded nondisposal facilities the jurisdiction is using or planning to use.

(4) A summary of progress made in diversion of construction and demolition of waste material, including information on programs and ordinances implemented by the local government and quantitative data, where available.

~~—(5) If the jurisdiction has been granted a time extension by the board pursuant to Section 41820, the jurisdiction shall include a summary of progress made in meeting the source reduction and recycling element implementation schedule pursuant to paragraph (2) of subdivision (a) of Section 41780 and complying with the~~



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~~jurisdiction's plan of correction, prior to the expiration of the time extension.~~

~~—(6) If the jurisdiction has been granted an alternative source reduction, recycling, and composting requirement pursuant to Section 41785, the jurisdiction shall include a summary of progress made towards meeting the alternative requirement as well as an explanation of current circumstances that support the continuation of the alternative requirement.~~

~~—(7) Other information relevant to compliance with Section 41780.~~

(c) A jurisdiction may also include, in the report required by this section, all of the following:

~~—(1) Any factor that the jurisdiction believes would affect the accuracy of the estimated waste disposal reduction calculation provided in the report pursuant to paragraph (1) of subdivision (b) to accurately reflect the changes in the amount of solid waste that is actually disposed. The jurisdiction may include, but is not limited to including, all of the following factors:~~

(1) any information on disposal reported pursuant to section 41821.5 that the jurisdiction believes may be relevant to the board's determination of the jurisdiction's per capita disposal rate.

(2) any disposal characterization studies or other studies done that show the effectiveness of the programs being implemented.

(3) any factors that the jurisdiction believes would affect the accuracy of, or mitigate the amount of, solid waste disposed by the jurisdiction including, but is not limited to:

(A) Whether the jurisdiction hosts a solid waste facility or diversion facility.

(B) The effects of self-hauled waste and construction and demolition waste.

~~—(C) The original or subsequent base year calculation, the amount of orphan waste, and the waste disposal reduction adjustment methodology.~~

~~(2)-(4) Information regarding the programs the jurisdiction is undertaking to address specific disposal challenges respond to the factors specified in paragraph (1), and why it is not feasible to implement programs to respond to other factors that affect the amount of waste that is disposed.~~

~~—(3) An estimate that the jurisdiction believes reflects that jurisdiction's annual reduction or increase in the disposal of solid waste~~

(5) Other information describing the good faith efforts of the jurisdiction.

(d) The board shall use, but is not limited to the use of, the ~~annual~~ report in the determination of whether the jurisdiction's source reduction and recycling element needs to be revised or updated.

(e) (1) The board shall adopt procedures for requiring additional information in a jurisdiction's ~~annual~~ report. The procedures shall require the board to notify a jurisdiction of any additional required information no later than 120 days after the board receives the report from the jurisdiction.

(2) Paragraph (1) does not prohibit the board from making additional requests for information in a timely manner. A jurisdiction receiving a request for information shall respond in a

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timely manner.

(f) The board shall adopt procedures for conferring with a jurisdiction regarding the implementation of a diversion program. ~~or changes to a jurisdiction's calculation of its annual disposal reduction.~~

~~(h)~~ (g) Notwithstanding the Uniform Electronic Transactions Act, the progress report shall be submitted electronically using the board's electronic reporting format system.

### ARTICLE 4. REVIEW AND ENFORCEMENT

41825. ~~(a) At least once every two years, the board shall review each city, county, or regional agency source reduction and recycling element and household hazardous waste element.~~

(a) If the board found a jurisdiction in compliance with Section 41780 for calendar year 2006, then at least every four years commencing in 2012, the board shall review whether the jurisdiction has made a good faith effort to implement its source reduction and recycling element and household hazardous waste element.

(b) If the board did not find a jurisdiction in compliance with Section 41780 for calendar year 2006, then at least once every two years commencing in 2010, the board shall review whether the jurisdiction has made a good faith effort to implement its source reduction and recycling element and household hazardous waste element.

~~(b)~~ (c) If after a public hearing, which, to the extent possible, is held in the local or regional agency's jurisdiction, the board finds that the city, county, or regional agency has failed to make a good faith effort to implement its source reduction and recycling element or its household hazardous waste element, the board shall issue an order of compliance with a specific schedule for achieving compliance. The compliance order shall include those conditions that the board determines to be necessary for the local agency or regional agency to complete in order to implement its source reduction and recycling element or household hazardous waste element.

~~(g)~~ (d) (1) Prior to issuing a compliance order, the board shall confer with a jurisdiction regarding conditions relating to a the proposed order of compliance, with a first meeting occurring not less than 60 days before issuing a notice of intent to issue an order of compliance.

(2) The board shall issue a notice of intent to issue an order of compliance not less than 30 days before the board holds a hearing to issue the notice of compliance. The notice of intent shall specify all of the following:

(A) The proposed basis for issuing an order of compliance.

(B) Proposed actions that board staff recommends are necessary for the jurisdiction to complete in order to implement its source reduction and recycling element or household hazardous waste element.

(C) Proposed staff recommendations to the board.

(3) The board shall consider any information provided pursuant to subdivision (c) of Section 41821 if the proposed issuance of an order of compliance involves changes to a jurisdiction's calculation of annual disposal ~~reduction~~.



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(e) The board may issue a compliance order only if the board determines that the jurisdiction has failed to make a good faith effort to implement its source reduction and recycling element, including updates, or its household hazardous waste element, including updates or has determined that additional program implementation is necessary to adequately address all significant sources of disposal.

(f) For the purposes of this section, "good faith effort" means all reasonable and feasible efforts by a jurisdiction to implement those programs or activities identified in its source reduction and recycling element or household hazardous waste element, or alternative programs or activities that achieve the same or similar results.

(g) The board shall consider the following when considering whether a jurisdiction has made a good faith effort to implement its source reduction and recycling element or its household hazardous waste element:

(1) Natural disasters.

(2) Budgetary conditions within a jurisdiction that could not be remedied by the imposition or adjustment of solid waste fees.

(3) Work stoppages that directly prevent a jurisdiction from implementing its source reduction and recycling element or household hazardous waste element.

(4) The impact of the failure of federal, state, and other local agencies located within the jurisdiction to implement source reduction and recycling programs in the jurisdiction.

(5) The extent to which a jurisdiction has implemented additional source reduction, recycling, and composting activities.

(6) The extent to which the jurisdiction is implementing programs to maintain its per capita disposal rate.

(7) Whether a local jurisdiction has provided information to the board concerning whether construction and demolition waste material is at least a moderately significant portion of the waste stream, and, if so, whether the local jurisdiction has adopted an ordinance for diversion of construction and demolition waste materials from solid waste disposal facilities, has adopted a model ordinance pursuant to subdivision (a) of Section 42912 for diversion of construction and demolition waste materials from solid waste disposal facilities, or has implemented another program to encourage or require diversion of construction and demolition waste materials from solid waste disposal facilities.

(8) For purposes of this section "good faith effort" may also include the evaluation by a jurisdiction of improved technology for the handling and management of solid waste that would reduce costs, improve efficiency in the collection, processing, or marketing of recyclable materials or yard waste, and enhance the ability of the jurisdiction to adequately address all sources of significant disposal and the jurisdiction has submitted a compliance schedule (pursuant to Section 41825), and has made all other reasonable and feasible efforts to implement the programs identified in its source reduction and recycling element or household hazardous waste element.

(9) In determining whether a jurisdiction has made a good faith effort, the board shall consider the enforcement criteria included in its enforcement policy, as adopted on April 25, 1995, or as subsequently amended.

(h) In making a determination, the board may consider a jurisdiction's per capita disposal only as an indication of whether the jurisdiction adequately implemented its diversion programs but shall not consider this fact to be determinative as to whether the jurisdiction has made a good faith effort to implement its source reduction and recycling element or its household hazardous waste element.

(h) In addition to considering the good faith efforts to implement a diversion program, the board shall consider all of the following factors in determining whether or not to issue a compliance order:

(1) The rural nature of the jurisdiction.

- (2) Whether exceptional growth rate that may have affected compliance.
- (3) Other information that the jurisdiction may provide that indicates the effectiveness of the jurisdiction's programs, such as disposal characterization studies, or other jurisdiction-specific information.

## ARTICLE 5. ENFORCEMENT

41850. (a) Except as specifically provided in Section 41813, if, after holding the public hearing and issuing an order of compliance pursuant to Section 41825, the board finds that the ~~city, county, and regional agency jurisdiction~~ has failed to make a good faith effort to implement its source reduction and recycling element or its household hazardous waste element, the board may impose administrative civil penalties upon the city or county or, pursuant to Section 40974, upon the city or county as a member of a regional agency, of up to ten thousand dollars (\$10,000) per day until the ~~city, county, and regional agency jurisdiction~~ implements the element.

(b) In determining whether or not to impose any penalties, or in determining the amount of any penalties imposed under this section, including any penalties imposed due to the exclusion of solid waste pursuant to Section 41781.2 that results in a reduction in the quantity of solid waste diverted by a ~~city, county, and regional agency jurisdiction~~, the board shall consider whether the jurisdiction has made a good faith effort to implement its source reduction and recycling element or its household hazardous waste element. In addition, the board shall consider only those relevant circumstances that have prevented a ~~city, county, and regional agency jurisdiction~~ from meeting the requirements of this division, including the ~~diversion~~ requirements of ~~paragraphs (1) and (2) of subdivision (a) of Section 41780~~, including, but not limited to, all of the following:

- (1) Natural disasters.
- (2) Budgetary conditions within a ~~city, county, and regional agency jurisdiction~~ that could not be remedied by the imposition or adjustment of solid waste fees.
- (3) Work stoppages that directly prevent a ~~city, county, and regional agency jurisdiction~~ from implementing its source reduction and recycling element or household hazardous waste element.
- (4) The impact of the failure of federal, state, and other local agencies located within the jurisdiction to implement source reduction and recycling programs in the jurisdiction on the host jurisdiction's ability to meet the requirements of paragraph (2) of subdivision (a) of Section 41780.

(c) In addition to the factors specified in subdivision (b), the board shall consider all of the following:

- (1) The extent to which a ~~city, county, and regional agency jurisdiction~~ has implemented additional source reduction, recycling, and composting activities to comply with the ~~diversion~~ requirements of ~~paragraphs (1) and (2) of subdivision (a) of Section 41780~~.
- (2) The extent to which a ~~city, county, and regional agency jurisdiction~~ is meeting the ~~diversion~~ requirements of ~~paragraphs (1) and (2) of subdivision (a) of Section 41780~~.
- (3) Whether the jurisdiction has requested and been granted an extension to the requirements of Section 41780, pursuant to Section 41820, or an alternative requirement to Section 41780, pursuant to Section 41785.
- (4) Whether a local jurisdiction has provided information to the board concerning whether construction and demolition waste material is at least a moderately significant portion of the waste stream, and, if so, whether the local jurisdiction has adopted an ordinance for diversion of construction and demolition waste materials from solid waste disposal facilities, has adopted a model ordinance pursuant to subdivision (a) of Section 42912 for diversion of construction and demolition waste materials from solid waste disposal facilities, or has implemented another program to encourage or require diversion of construction and demolition waste materials from solid waste disposal facilities.

(d) (1) For the purposes of this section, "good faith effort" means all reasonable and feasible efforts by a ~~city, county, and regional agency jurisdiction~~ to implement those programs or activities identified in its source reduction and recycling element or household hazardous waste element, or alternative programs or activities that achieve the same or similar results.

(2) For purposes of this section "good faith effort" may also include the evaluation by a ~~city, county, and regional agency jurisdiction~~ of improved technology for the handling and

management of solid waste that would reduce costs, improve efficiency in the collection, processing, or marketing of recyclable materials or yard waste, and enhance the ability of the ~~city, county, and regional agency jurisdiction~~ to meet the ~~diversion~~ requirements of paragraphs (1) and (2) of subdivision (a) of Section 41780, provided that the ~~city, county, and regional agency jurisdiction~~ has submitted a compliance schedule pursuant to Section 41825, and has made all other reasonable and feasible efforts to implement the programs identified in its source reduction and recycling element or household hazardous waste element.

(3) In determining whether a jurisdiction has made a good faith effort, the board shall consider the enforcement criteria included in its enforcement policy, as adopted on April 25, 1995, or as subsequently amended.

### PART 3. STATE PROGRAMS

#### Chapter 18.5. State Agency Integrated Waste Management Plan

42921. (a) Each state agency and each large state facility shall divert at least 25 percent of all solid waste generated by the state agency from landfill disposal or transformation facilities by January 1, 2002, through source reduction, recycling, and composting activities.

(b) On and after January 1, 2004, each state agency and each large state facility shall divert at least 50 percent of all solid waste from landfill disposal or transformation facilities through source reduction, recycling, and composting activities.

(1) On and after January 1, 2009, each state agency and large state facility shall continue to meet the requirements of this section through source reduction, recycling, and composting and the board shall determine compliance with this requirement by comparing each agency's and facility's per capita disposal rate in subsequent years with the per capita disposal rate that would have been necessary for the agency or facility to meet the requirement on that date. Increases in per capita disposal would indicate that a state agency or large state facility has allowed disposal amounts to increase faster than it has grown and the Board shall use any increase as an indicator that program implementation efforts must be more closely examined. The examination may indicate that an agency or facility needs to expand existing programs or implement new programs.  
A) Per capita disposal shall be defined as total annual disposal from an agency or large state facility divided by total number of employees in an agency or large state facility.  
B) For those agencies or large state facilities that have significant amounts of disposal from non-employees or for other reasons that would make calculation of per capita disposal by number of employees inaccurate, per capita disposal may be alternatively defined by the Board in another manner.

~~42922. (a) On and after January 1, 2002, upon the request of a state agency or a large state facility, the board may establish a source reduction, recycling, and composting requirement that would be an alternative to the 50 percent requirement imposed pursuant to subdivision (b) of Section 42921, if the board holds a public hearing and makes all of the following findings based upon substantial evidence on the record:~~

~~(1) The state agency or a large state facility has made a good faith effort to effectively implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and has demonstrated progress toward meeting the alternative requirement as described in its annual reports to the board.~~

~~(2) The state agency or the large state facility has been unable to meet the 50 percent diversion requirement despite implementing the measures described in paragraph (1).~~

~~(3) The alternative source reduction, recycling, and composting requirement represents the greatest diversion amount that the state agency or the large state facility may reasonably and feasibly achieve.~~

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(b) In making the decision whether to grant an alternative requirement pursuant to subdivision (a), and in determining the amount of the alternative requirement, the board shall consider circumstances that support the request for an alternative requirement, such as waste disposal patterns and the types of waste disposed by the state agency or the large state facility. The state agency or the large state facility may provide the board with any additional information that the state agency or the large state facility determines to be necessary to demonstrate to the board the need for the alternative requirement.

(c) If a state agency or a large state facility that requests an alternative source reduction, recycling, and composting requirement has not previously requested an extension pursuant to Section 42923, the state agency or the large state facility shall provide information to the board that explains why it has not requested an extension.

(d) A state agency or a large state facility that has previously been granted an alternative source reduction, recycling, and composting requirement may request another alternative source reduction, recycling, and composting requirement. A state agency or a large state facility that requests another alternative requirement shall provide information to the board that demonstrates that the circumstances that supported the previous alternative source reduction, recycling, and composting requirement continue to exist, or shall provide information to the board that describes changes in those previous circumstances that support another alternative source reduction, recycling, and composting requirement. The board shall review the original circumstances that supported the state agency's or the large state facility's request, as well as any new information provided by the state agency or the large state facility that describes the current circumstances, to determine whether to grant another alternative requirement. The board may approve another alternative requirement if the board holds a public hearing and makes both of the following findings based upon substantial evidence in the record:

(1) The state agency or the large state facility has made a good faith effort to effectively implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and has demonstrated progress toward meeting the alternative requirement as described in its annual reports to the board.

(2) The alternative source reduction, recycling, and composting requirement represents the greatest diversion amount the state agency or the large state facility may reasonably and feasibly achieve.

(e) If the board establishes a new alternative requirement or rescinds the existing alternative requirement, the board shall do so at a public hearing. If the board establishes a new alternative requirement, it shall make all of the following findings based upon substantial evidence in the record:

(1) The state agency or the large state facility has made a good faith effort to effectively implement the source reduction, recycling, and composting measures described in its integrated waste management plan, and has demonstrated progress toward meeting the alternative requirement as described in its annual reports to the board.

(2) The former alternative diversion requirement is no longer appropriate.

(3) The new alternative requirement represents the greatest amount of diversion that the state agency or the large state facility may reasonably and feasibly achieve.

(f) (1) No single alternative requirement may be granted for a period that exceeds three years and, if after the granting of the original alternative requirement, another alternative requirement is granted, the combined period that the original and the new alternative requirement is in force and effect shall not exceed a total of five years.

(2) No alternative requirement shall be granted for any period after January 1, 2006, and no alternative requirement shall be effective after January 1, 2006.

(3) No state agency or large state facility shall be granted an alternative requirement if the state agency or the large state facility has failed to meet, on or before January 1, 2002, the requirements of subdivision (a) of Section 42921.

(g) (1) When considering a request for an alternative source reduction, recycling, and composting requirement, the board may make specific recommendations for the implementation of the alternative plan.

(2) Nothing in this section precludes the board from disapproving any request for an alternative requirement.

(3) If the board disapproves a request for an alternative requirement, the board shall specify, in writing, the reasons for its disapproval.

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(h) If the board grants an alternative source reduction, recycling, and composting requirement, the state agency may request technical assistance from the board to assist it in meeting the alternative source reduction, recycling, and composting requirement. If requested by the state agency or the large state facility, the board shall assist with identifying model policies and plans implemented by other agencies.

(i) A state agency or a large state facility that is granted an alternative requirement pursuant to this section shall continue to implement source reduction, recycling, and composting programs, and shall report the status of those programs in the report required pursuant to Section 42926.

(j) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.

42923. (a) The board may grant one or more single or multiyear time extensions from the requirements of subdivision (a) of Section 42921 to any state agency or large state facility if all of the following conditions are met:

(1) Any multiyear extension that is granted does not exceed three years, and a state agency or a large state facility is not granted extensions that exceed a total of five years.

(2) An extension is not granted for any period after January 1, 2006, and an extension is not effective after January 1, 2006.

(3) The board considers the extent to which a state agency or a large state facility complied with its plan of correction before considering another extension.

(4) The board adopts written findings, based upon substantial evidence in the record, as follows:

(A) The state agency or the large state facility is making a good faith effort to implement the source reduction, recycling, and composting programs identified in its integrated waste management plan.

(B) The state agency or the large state facility submits a plan of correction that demonstrates that the state agency or the large state facility will meet the requirements of Section 42921 before the time extension expires, including the source reduction, recycling, or composting steps the state agency or the large state facility will implement, a date prior to the expiration of the time extension when the requirements of Section 42921 will be met, existing programs that it will modify, any new programs that will be implemented to meet those requirements, and the means by which these programs will be funded.

(b) (1) When considering a request for an extension, the board may make specific recommendations for the implementation of the alternative plans.

(2) Nothing in this section shall preclude the board from disapproving any request for an extension.

(3) If the board disapproves a request for an extension, the board shall specify its reasons for the disapproval.

(c) (1) In determining whether to grant the request by a state agency or a large state facility for the time extension authorized by subdivision (a), the board shall consider information provided by the state agency or the large state facility that describes relevant circumstances that contributed to the request for extension, such as a lack of markets for recycled materials, local efforts to implement source reduction, recycling, and composting programs, facilities built or planned, waste disposal patterns, and the type of waste disposed by the agency or facility.

(2) The state agency or the large state facility may provide the board with any additional information that the state agency or the large state facility determines to be necessary to demonstrate to the board the need for the extension.

(d) If the board grants a time extension pursuant to subdivision (a), the state agency may request technical assistance from the board to assist it in meeting the diversion requirements of subdivision (a) of Section 42921 during the extension period. If requested by the state agency or the large state facility, the board shall assist the state agency or the large state facility with identifying model policies and plans implemented by other agencies.

(e) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.



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42926. (a) In addition to the information provided to the board pursuant to Section 12167.1 of the Public Contract Code, beginning on or before September 1, 2009, and on or before September 1 every two years thereafter, each state agency shall submit a report to the board summarizing its progress in reducing solid waste as required by Section 42921. ~~The annual report shall be due on or before April 1, 2002, and on or before April 1 in each subsequent year.~~ The information in this report shall encompass the two previous calendar year.

42927.5. A community college district may impose fees in amounts sufficient to pay the costs of preparing, adopting, and implementing a state agency integrated waste management plan prepared pursuant to this division. The fees shall be based on the types or amounts of the solid waste, and shall be used to pay the actual costs incurred by the community college district in preparing, adopting, and implementing the plan, as well as in setting and collecting the fees. In determining the amounts of the fees, a community college district shall include only those costs directly related to the preparation, adoption, and implementation of the plan and the setting and collection of the fees. The fees may also include an amount to cover actual costs incurred since the effective date of this Chapter.

~~42928. (a) The board may adopt regulations that establish specified criteria for granting, reviewing, and considering reductions or extensions pursuant to Sections 42922 and 42923.~~

~~(b) This section shall remain in effect only until January 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2006, deletes or extends that date.~~

## **Brief Overview of Waste Management's Government Affairs Program**

2008 Legislative and Regulatory Issues  
What do we expect?



### **2008 Legislative and Regulatory Issues**

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#### **The Big Picture:**

- Budget Deficit Will Consume Most of the Policy and Political Oxygen
- Climate Change Will Continue to Confuse, Confound and Shape the Long-Term Agenda
- Waste Board Tackling Some Tough and Controversial Issues in 2008
- May Not Be A Big Year For Major Policy Legislation



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## Budget Related Issues

- Funding for AB 118 (Nunez) Alternative Fuels and Vehicle Technologies? Legislation enacted last year could generate about \$200 million per year for 7.5 years focused on clean transportation fuels and technologies. Expect first round of RFPs to be released late in 2008
- Potential for a Tipping Fee Increase – 50 cents to \$2.00
- Borrowing of Surplus Funds from Bottle Bill Account
- Increase in E-Waste Advance Recycling Fees



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## Climate Change

- Greater focus on fleet emissions, early actions to reduce fugitive methane emissions from landfills, and increased recycling.



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## CIWMB Regulatory Issues

- Temporary Permits for Recycling and Composting Facilities
- Extended Postclosure Period for Landfills
- Restrictions on Financial Assurance Mechanisms
- Organics Diversion Road Map
- BioEnergy and BioFuels Production from Organic Materials – \$500,000 Grant for R&D Projects. Goal is diversion and energy production
- Waste Board model programs for Sharps collection and disposal
- DTSC and Waste Board model programs for collection and disposal of pharmaceutical wastes



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## Item 5.1

### Major Legislative Issues

SB 1020 (Padilla)	Language still being developed. Will raise the recycling bar. May set a new statewide goal. Will probably mandate commercial recycling. May clarify that cellulosic ethanol and anaerobic digestion count as diversion.	WM likely to support Key Issues: <ul style="list-style-type: none"><li>• No increase in local diversion percentage</li><li>• Support commercial recycling</li><li>• Need a realistic statewide goal and some new tools to get there</li></ul>
SB 1016 (Wiggins)	Still being fine-tuned. Will transform the AB 939 accounting system from a diversion percentage to per capita disposal caps. Will use disposal volumes as an indicator of program effectiveness.	WM likely to support depending on final language and position of local government. Advances the transition from a focus on numbers to the quality of programs.
AB 1075 (Cook) Conversion Technologies	Not sure of scope – just anaerobic digestion?  Politics are still very tough for a broader conversion technology bill.	WM supports as we expect the bill will be written.
Huffman ADC Phase Out	Author is considering a number of different approaches. A phase-out over time, phasing in the disposal fee on green waste used as ADC.	Oppose any ban at this time <ul style="list-style-type: none"><li>• Need the Board's Organic Road Map</li><li>• Need to resolve permitting problems for compost facilities</li></ul>
Huffman E-Waste Expansion	Expect a bill very similar to AB 1535, which brings computers into the program.	Support
Saldana Toxic Electronics Phase Out	Reintroduction of AB 48, which was vetoed. Phases out hazardous materials in most consumer electronics – E.U. standards.	Support
Hancock Bottle Bill Expansion	May go beyond beverage containers to include glass and plastic food containers.	Likely Support
Hancock Suspension of Bottle Bill Processing Fee Payments	One-year suspension of processing fee balanced by equivalent funding to support recycling activities.	Support
Ma Illegal Scavenging	No bill yet. Idea is to require identification for buy-back transactions greater than \$20.	Likely support
AB 822 (Levine) Multi-Family Recycling	Re-run of AB 548, which was vetoed. Requirement on owners of multi-family units to arrange for recycling services.	Support
AB 501 (Swanson) Sharps Disposal	Require drug manufacturers to provide mail-back containers upon patient request.	Support